

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation)
Against:)**

Edward Robert Alexson, M.D.)

File No. 18-2013-231052

**Physician's and Surgeon's)
Certificate No. G 27314)**

Respondent)

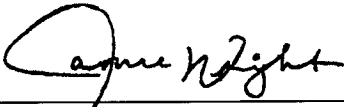
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on November 4, 2016.

IT IS SO ORDERED October 6, 2016.

MEDICAL BOARD OF CALIFORNIA

By: 

Jamie Wright, J.D., Chair
Panel A

1 KAMALA D. HARRIS
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 CHRISTINE R. FRIAR
Deputy Attorney General
4 State Bar No. 228421
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 897-6404
Facsimile: (213) 897-9395
7 *Attorneys for Complainant*

8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 18-2013-231052

12 EDWARD ROBERT ALEXSON, M.D.
1401 North Tustin Ave., #220
13 Santa Ana, CA 92705

OAH No. 2016040932

14 Physician's and Surgeon's Certificate No.
15 G27314

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16 Respondent.

17 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Kimberly Kirchmeyer ("Complainant") is the Executive Director of the Medical
21 Board of California ("Board"). She brought this action solely in her official capacity and is
22 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
23 Christine R. Friar, Deputy Attorney General.

24 2. Respondent Edward Robert Alexson, M.D. ("Respondent") is represented in this
25 proceeding by attorney Raymond J. McMahon of Doyle Schafer McMahon, located at 100
26 Spectrum Center Drive, Suite 520, Irvine, California 92618.

27 3. On July 23, 1974, the Board issued Physician's and Surgeon's Certificate No. G27314
28 to Edward Robert Alexson, M.D. That Certificate was in full force and effect at all times relevant

1 to the charges brought in Accusation No. 18-2013-231052, and will expire on July 31, 2017,
2 unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 18-2013-231052 was filed before the Board, and is currently pending
5 against Respondent. The Accusation and all other statutorily required documents were properly
6 served on Respondent on March 15, 2016. Respondent timely filed his Notice of Defense
7 contesting the Accusation.

8 5. A copy of Accusation No. 18-2013-231052 is attached as Exhibit A is and
9 incorporated herein by reference.

10 **ADVISEMENT AND WAIVERS**

11 6. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Accusation No. 18-2013-231052. Respondent has also carefully read,
13 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
14 Disciplinary Order.

15 7. Respondent is fully aware of his legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
17 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
18 to the issuance of subpoenas to compel the attendance of witnesses and the production of
19 documents; the right to reconsideration and court review of an adverse decision; and all other
20 rights accorded by the California Administrative Procedure Act and other applicable laws.

21 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 **CULPABILITY**

24 9. Respondent admits the truth of each and every charge and allegation in the Second
25 Cause for Discipline (aiding and abetting the unlicensed practice of medicine) as set forth in
26 Accusation No. 18-2013-231052.

27 10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
28 discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the

1 Disciplinary Order below.

2 **CONTINGENCY**

3 11. This stipulation shall be subject to approval by the Medical Board of California.
4 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
5 Board of California may communicate directly with the Board regarding this stipulation and
6 settlement, without notice to or participation by Respondent or his counsel. By signing the
7 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
8 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
9 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
10 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
11 action between the parties, and the Board shall not be disqualified from further action by having
12 considered this matter.

13 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
14 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
15 signatures thereto, shall have the same force and effect as the originals.

16 13. In consideration of the foregoing admissions and stipulations, the parties agree that
17 the Board may, without further notice or formal proceeding, issue and enter the following
18 Disciplinary Order:

19 **DISCIPLINARY ORDER**

20 **A. PUBLIC REPRIMAND**

21 **IT IS HEREBY ORDERED THAT** Physician's and Surgeon's Certificate No. G27314
22 issued to Edward Robert Alexson, M.D., shall be and is hereby publicly reprimanded pursuant to
23 California Business and Professions Code section 2227, subdivision (a)(4). This public
24 reprimand, which is issued in connection with Respondent's failure to adequately supervise his
25 chemotherapy infusion center, such that an unlicensed staff member was allowed to, and did, mix
26 and administer chemotherapy drugs to his patients, as set forth in Accusation No. 18-2013-
27 231052, is as follows:

28 "You failed to adequately supervise your chemotherapy infusion center, such that an

1 unlicensed staff member was allowed to, and did, mix and administer chemotherapy drugs to your
2 patients, as more fully described in Accusation No. 18-2013-231052.”

3 **B. PROFESSIONALISM PROGRAM (ETHICS COURSE).**

4 Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a
5 professionalism program, that meets the requirements of Title 16, California Code of Regulations
6 section 1358. Respondent shall participate in and successfully complete that program.

7 Respondent shall provide any information and documents that the program may deem pertinent.

8 Respondent shall successfully complete the classroom component of the program not later than

9 six (6) months after Respondent’s initial enrollment, and the longitudinal component of the

10 program not later than the time specified by the program, but no later than one (1) year after

11 attending the classroom component. The professionalism program shall be at Respondent’s

12 expense and shall be in addition to the Continuing Medical Education (“CME”) requirements for

13 renewal of licensure.

14 A professionalism program taken after the acts that gave rise to the charges in the

15 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board

16 or its designee, be accepted towards the fulfillment of this condition if the program would have

17 been approved by the Board or its designee had the program been taken after the effective date of

18 this Decision.

19 Respondent shall submit a certification of successful completion to the Board or its

20 designee not later than 15 calendar days after successfully completing the program or not later

21 than 15 calendar days after the effective date of the Decision, whichever is later.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Raymond J. McMahon. I understand the stipulation and the effect
4 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
5 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: 9/7/2016 Edward Alexson
9 EDWARD ROBERT ALEXSON, M.D.
Respondent

10 I have read and fully discussed with Respondent Edward Robert Alexson, M.D. the terms
11 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
12 Order. I approve its form and content.

13
14 DATED: September 8, 2016 Raymond J. McMahon
15 RAYMOND J. MCMAHON
16 Attorney for Respondent

17 ENDORSEMENT

18 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
19 submitted for consideration by the Medical Board of California.

20 Dated: 9/8/2016

Respectfully submitted,

22 KAMALA D. HARRIS
Attorney General of California
23 ROBERT MCKIM BELL
Supervising Deputy Attorney General

24 Christine R. Friar
25 CHRISTINE R. FRIAR
26 Deputy Attorney General
Attorneys for Complainant

27 LA2016500466
28 Alexson Stipulated Settlement.pdf.docx

Exhibit A

Accusation No. 18-2013-231052

1 KAMALA D. HARRIS
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 CHRISTINE R. FRIAR
Deputy Attorney General
4 State Bar No. 228421
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 897-6404
Facsimile: (213) 897-9395
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 18-2013-231052

13 **EDWARD ROBERT ALEXSON, M.D.**
14 **1401 North Tustin Ave., #220**
15 **Santa Ana, CA 92705**

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. G 27314,**

Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs (Board).

23 2. On or about July 23, 1974, the Board issued Physician's and Surgeon's Certificate
24 Number G 27314 to Edward Robert Alexson, M.D. (Respondent). That certificate was in full
25 force and effect at all times relevant to the charges brought herein and will expire on July 31,
26 2017, unless renewed.

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
84

2
3

4

5
6
7

8
9

10

11

12

13
14
15
16

17

18

19
20
21
22

23
24

25

26
27
28

1 10. Respondent's office space in 2012 and 2013 was comprised of a front waiting area,
2 examination rooms, physician and staff offices and a chemotherapy treatment area. In the
3 chemotherapy treatment area, there were several patient "infusion chairs," a drug mixing area and
4 a small laboratory.

5 11. Though Respondent shared this office space with another physician, there was no
6 overlap in their practices, patients or employees.

7 12. Pursuant to the standard of care, chemotherapy drugs can only be mixed by a licensed
8 pharmacy technician, registered nurse or physician.

9 13. Pursuant to the standard of care, only a licensed registered nurse or physician can
10 administer and supervise the administration of chemotherapy drugs.

11 14. All of Respondent's employees at his practice functioned under the supervision of and
12 the medical license of Respondent.

13 15. During the relevant time period, 2012 and 2013, an unlicensed staff member was
14 allowed to, and did, mix and administer chemotherapy drugs to Respondent's patients.

15 16. The standard of care for a medical oncologist in the State of California is to supervise
16 the diagnosis, treatment planning and actual treatment of patients with cancer. This supervision
17 includes ensuring that the correct chemotherapy drugs are mixed and administered to patients in a
18 safe and secure environment.

19 17. Respondent admits that during the relevant time period, he spent little time in the
20 mixing and chemotherapy portion of his office. Instead, he had his head nurse running this area
21 of his office.

22 18. Respondent failed to adequately supervise his chemotherapy infusion center in that an
23 unlicensed staff member was allowed to mix, administer and supervise the administration of
24 chemotherapy drugs. Respondent's conduct constitutes an extreme departure from the standard of
25 care applicable to an oncologist in the State of California.

26 19. Respondent's conduct, as set forth in paragraphs 6 through 18, inclusive above,
27 constitutes gross negligence pursuant to Code section 2234, subdivision (b). As such, cause for
28 discipline exists.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3
4
5
6
7

8
9

10
11
12
13

14

15
1617
1819
2021
22

23

25

26

27

28